

(3) of this section, shall be submitted as follows unless otherwise ordered in a written communication from the Commissioner:

(i) At intervals within 6 months beginning with the date of approval of the new animal drug application during the first year following such date, and at yearly intervals thereafter.

(ii) Whenever an applicant is required to submit reports under the provisions of paragraph (b)(4)(i) of this section with respect to more than one approved application for preparations containing the same new animal drug so that the same item(s) of information is (are) required to be reported for more than one application, he may elect to submit as a part of the report for one such application all the information common to such applications in lieu of reporting separately and repetitively on each. The applicant shall state when this is done and identify all the new animal drug applications for which the reports are submitted.

(iii) The submitted copies of records and reports shall include all the required information that was received or otherwise obtained by the applicant during the designated intervals.

(5) On written order of the Commissioner, within the time stated in such order or agreed to by the applicant and the Commissioner, any designated records or reports containing the kinds of information described in this section shall be submitted.

(c) The applicant shall, upon request of any properly authorized officer or employee of the Department at reasonable times, permit such officers to have access to and copy and verify any records and reports established and maintained under the provisions of this section.

(d) If the Food and Drug Administration finds that the applicant has failed to establish a system for maintaining required records or has repeatedly or deliberately failed to maintain such records or to make required reports in accordance with the provisions of this section, or that the applicant has refused to permit access to or copying of, or verification of such records or reports, the Commissioner shall give the applicant notice and opportunity for a hearing on the question of whether to

withdraw the approval of the application, as provided in §514.200 of this chapter.

(e) Upon written request of the applicant stating reasonable grounds therefor, the Commissioner will make available any information in possession of the Food and Drug Administration of the kinds the applicant is required to maintain under the provisions of this section, except information readily available to the applicant from other sources or information which the Commissioner concludes is confidential.

(f) The *applicant* required to establish and maintain records and make reports required by this section includes any person whose name appears on the labeling of the drug as its manufacturer, packer, or distributor under an approval or who is engaged in the manufacturing, processing, packing, or labeling of the drug under an approval of the new animal drug application or any supplement to it; however, to avoid unnecessary duplication in the submission of reports, any such applicant's obligation to submit a report may be met by its submission on his behalf, designated as such, by another person responsible for reporting.

EFFECTIVE DATE NOTE: At 67 FR 5056, Feb. 4, 2002, §510.300 was removed, effective Aug. 5, 2002.

§510.301 Records and reports concerning experience with animal feeds bearing or containing new animal drugs for which an approved medicated feed mill license application is in effect.

Records and reports of clinical and other experience with the new animal drug will be maintained and reported, appropriately identified with the new animal drug application(s) to which they relate, to the Center for Veterinary Medicine in duplicate in accordance with the following:

(a) Immediately upon receipt by the applicant, complete records or reports covering information of the following kinds:

(1) Information concerning any mixup in the new animal drug or its labeling with another article.

§ 510.302

21 CFR Ch. I (4–1–02 Edition)

(2) Information concerning any bacteriological, or any significant chemical, physical, or other change or deterioration in the drug, or any failure of one or more distributed batches of the drug to meet the specifications established for it in the new animal drug application.

(b) As soon as possible, and in any event within 15 working days of its receipt by the applicant, complete records or reports concerning any information of the following kinds:

(1) Information concerning any unexpected side effect, injury, toxicity, or sensitivity reaction or any unexpected incidence or severity thereof associated with clinical uses, studies, investigations, or tests, whether or not determined to be attributable to the new animal drug, except that this requirement shall not apply to the submission of information described in a written communication to the applicant from the Food and Drug Administration as types of information that may be submitted at other designated intervals. *Unexpected* as used in this paragraph refers to conditions or developments not previously submitted as part of the new animal drug application or not encountered during clinical trials of the drug, or conditions or developments occurring at a rate higher than shown by information previously submitted as part of the new animal drug application or at a rate higher than encountered during such clinical trials.

(2) Information concerning any unusual failure of the new animal drug to exhibit its expected pharmacological activity.

[40 FR 13807, Mar. 27, 1975, as amended at 54 FR 18280, Apr. 28, 1989]

§ 510.302 Reporting forms.

(a) The information described in § 510.300, except that described in paragraphs (b) (1) and (2) of that section, shall be submitted appropriately identified with the new animal drug application(s) to which they relate in duplicate on Form FD-2301 “Transmittal of Periodic Reports and Promotional Material for New Animal Drugs.”

(b) All adverse experiences with new animal drugs as described in § 510.300(b)(2) or § 510.301(b) whether or not related to a required periodic re-

port submitted on a Form FD-2301, shall be reported on Form FD-1932 “Adverse Drug Reaction” (except as provided in paragraph (c) of this section). Reports of adverse drug experiences may be submitted initially in the form of a written communication, but any such communication shall be followed promptly (but not necessarily within the prescribed 15 working days) by a completed Form FD-1932. A separate “Adverse Drug Reaction” form should be submitted for each patient where feasible.

(c) In lieu of Form FD-1932 the holder of an approved new animal drug application may submit:

(1) A computerized report if the information contained therein and the sequence in which it is presented are equivalent to that required by Form FD-1932 and the report is submitted in duplicate. Such reports will require initial approval by the Food and Drug Administration prior to use; and

(2) Copies of reports of reactions appearing in the published scientific literature may be submitted.

(d) Forms FD-1932 and FD-2301, with instructions for their use, may be obtained from the Food and Drug Administration, Department of Health and Human Services, Center for Veterinary Medicine, 7500 Standish Pl., Rockville, MD 20855.

[40 FR 13807, Mar. 27, 1975, as amended at 41 FR 35844, Aug. 25, 1976; 54 FR 18280, Apr. 28, 1989; 57 FR 6475, Feb. 25, 1992]

EFFECTIVE DATE NOTE: At 67 FR 5057, Feb. 4, 2002, § 510.302 was removed, effective Aug. 5, 2002.

§ 510.305 Maintenance of copies of approved medicated feed mill licenses to manufacture animal feed bearing or containing new animal drugs.

Each applicant shall maintain in a single accessible location:

(a) A copy of the approved medicated feed mill license (Form FDA 3448) on the premises of the manufacturing establishment; and

(b) Approved labeling for each Type B and/or Type C feed being manufactured on the premises of the manufacturing establishment or the facility where the feed labels are generated.

[64 FR 63203, Nov. 19, 1999]